REMARKS

Status of the application

This paper is responsive to the Final Office Action mailed on February 27, 2007 ("Final Office Action") and the Advisory Action mailed on July 9, 2007 ("Advisory Action"). Claims 1–80 are pending in this application. Claim 1–80 stand rejected. Claims 1, 6, 8, 10, 14, 15, 17–20, 22, 23, 28, 29, 31, 32, 34, 36, 37, 39–41, 71 and 73–75 are amended herein. All claim amendments are fully supported by the written description. Applicants respectfully submit the following remarks in support of patentability.

Telephone interview

Applicants thank the Examiner for the telephone interview of October 25, 2007. The following discussion is intended to constitute a proper recordation of such interview in accordance with MPEP §713.04, and also to provide a full response to the Final Office Action and the Advisory Action.

Claim rejections under 35 U.S.C. § 102

Claims 1–4, 9–18 and 22–80 stand rejected under 35 U.S.C. § 102(e) over US 2004/0205248 to Little et al. ("Little"). Applicants respectfully request withdrawal of the rejections for at least the following reasons.

First of all, Little fails to teach the limitation that "the relay arrangement is arranged behind the firewall arrangement and is configured to *push* the data from behind the firewall arrangement to the at least one wireless device such that *the data is only transmitted when the relay arrangement determines that the at least one wireless device can receive the data*" as recited in independent claim 1, as amended herein (emphasis added). A claim is anticipated only if each and every element of the claim is found in a single prior art reference. MPEP § 2131. It is true that, as the Examiner observed, "Little discloses a push-technique or a pull-technique may be used to send user's messages to the

user's mobile device." Advisory Action at 1. However in order to anticipate a claim, the elements must be arranged as required by the claim. MPEP § 2131. In other words, a reference presenting a "laundry list" of elements will not anticipate a claim that arranges those elements in a precise way. This is exactly what Little does: the "push" and "pull" techniques are separately disclosed, but not combined—neither could they, as they are incompatible. *See* Response After Final at 15–16. However the Examiner's rejection merges elements from both "push" and "pull" techniques in the Little disclosure: The "push" aspect (the wireless connector system 828 initiates transmission) and the "pull" aspect (the mobile device 816 or 818 requests transmission of messages by sending a command). *See* Final Office Action at 4; Amendment After Final at 16. Applicants submit that such arbitrary combination of elements does not properly support a rejection under 35 U.S.C. § 102(e).

The amendments submitted herein seek to further clarify the claimed subject matter. Claim 1 now requires that "the data is only transmitted when the at least one relay arrangement determines that the at least one wireless device can receive the data." The system of claim 1 does not employ a "pull" technique, i.e., a technique in which the transmission of data is initiated by the wireless device. Rather, it requires a "push" technique, i.e., the data transmission is initiated by the relay arrangement. However the "push" is preceded by a determination that the wireless device can receive the data. This combination achieves superior results as compared to alternative methods such as Little's. *See* specification at paragraph 0025.

Secondly, the Examiner stated that "the relay arrangement, equivalent to Little's Wireless connector system 828, is clearly positioned behind/outside the firewall (see figure 8), which is *on the same side as* the server arrangement, equivalent to Little's Message server 820, and the database (element 200, in figure 2), equivalent to Little's data store 817 (page 8, par. 67)." Advisory Action at 2 (boldface omitted for clarity). Preliminarily, applicants wish to clarify that the expressions "behind" or "within" the firewall are equivalent, as opposed to "outside" the firewall. Regardless of terminology, the Examiner is correct in observing that Little's wireless connector system 828 is located on the same side of the firewall 808 as the message server 820. However, Little locates an additional

wireless infrastructure 810 on the *opposite side* of the firewall 808. Applicants submit, therefore, that Little fails to teach the limitation that "each relay arrangement is arranged behind the firewall arrangement" as recited in claim 1 as amended herein.

The amendments submitted herein seek to further clarify the claimed subject matter. The system of claim 1 requires that *each* relay arrangement be arranged behind the firewall arrangement. In addition the claim now includes the limitation that "the data is not persistently stored outside the firewall until reception by the wireless device."

Thirdly, the Examiner stated that "Little discloses a 'push' technique wherein the data is not transmitted until a triggering event has been detected such as when wireless access to corporate data for a mobile device 816 or 818 has been activated at the LAN 806." Advisory Action at 3 (boldface omitted for clarity). Applicants submit, however, that such "triggering event" has nothing to do with whether "the . . . wireless device can receive the data" as recited in claim 1. In fact, Little's LAN 806 is located within the corporate firewall 808, whereas the mobile devices 816 and 818 are deployed outside the firewall. Rather, the "triggering event" is associated with activation of a screen saver, etc. *See* Little at ¶ 79. Insofar as one of the "triggering events" is the "receipt of a command sent from a mobile device," that negatives the "push" element as recited in claim 1, as explained above.

Fourthly, with reference to the fact that Little's VPN feature does not implement a true "push" operation, the Examiner observes that "the features upon which Applicants rely . . . are not recited in the rejected claim(s)." Advisory Action at 4. Applicants respectfully submit that the term "configured to push the data" is adequate to convey the critical distinction over Little. Little's VPN mandates a "pull" approach, since the user initiates the VPN connection. One of skill in the art would readily appreciate the difference between a pull approach, in which data transfer is explicitly requested by the user, and the claimed push approach in which the data is supplied by the server without an explicit user-initiated request. (To the extent Little's data is transmitted outside a VPN connection, it is *persistently stored* outside the firewall in wireless infrastructure 810 — again contradicting the express terms of claim 1.)

Applicants submit that independent claim 1 is patentable for at least the foregoing reasons. Independent claims 10, 14, 15 and 71 recite similar limitations and are patentable for at least the same reasons as claim 1.

Independent claim 24 recites the limitation that "the first arrangement is configured to push the data from behind the firewall arrangement to the at least one wireless device such that the data is not stored outside the firewall arrangement while enroute to the wireless carrier network." As explained in the Response After Final, Little does not teach or fairly suggest this limitation, since Little's system must provide for storage external to the firewall to store data while waiting for the wireless network or the mobile device to become operational. *See* Response After Final at 18–19. The Examiner has not addressed this issue in the Advisory Action. Independent claims 26 and 55 recite similar limitations. Therefore Applicants submit that independent claims 24, 26 and 55 are patentable over Little.

Finally, Applicants submit that dependent claims 2–4, 9, 11–13, 16–18, 22–23, 25, 27–54, 56–70 and 72–80 are also allowable for at least the same reasons as independent claims 1, 10, 14, 15, 24, 26, 55 and 71 from which they depend.

Claim rejections under 35 U.S.C. § 103

Claims 5–8 and 19–21 were rejected under 35 U.S.C. § 103(a) over Little in view of US 6,779,039 to Bommareddy et al. ("Bommareddy"). Claims 5–8 and 19 depend from claim 1; claim 20 depends from claim 10; claim 21 depends from claim 14. Applicants submit that claims 5–8 and 19–21 are allowable for at least the same reasons as their parent claims 1, 10 and 14, and respectfully request withdrawal of the rejections.

Conclusions

In view of the foregoing remarks, Applicants respectfully request reconsideration, withdrawal of all grounds of rejection, and allowance of all pending claims in due course. The Examiner is invited to contact Applicants' undersigned representative by telephone at the number listed below to discuss any outstanding issues.

Respectfully submitted,

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